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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Angola,* Argentina, Armenia,* Austria,* Belgium,* Bolivia (Plurinational State of), Brazil, Croatia,* Cyprus,* Denmark,* Ecuador,* Egypt,* El Salvador, Estonia, Finland,* France, Germany, Greece,* Haiti,* Honduras,* Hungary,* Ireland, Italy,* Latvia, Lithuania,* Luxembourg,* Malta,* Mexico, Montenegro, Netherlands, New Zealand,* Nicaragua,* Panama,* Paraguay, Peru,* Portugal, Republic of Moldova,* Romania,* Slovakia,* Slovenia,* Spain,* State of Palestine,* Sweden,* Switzerland,* Thailand,* the former Yugoslav Republic of Macedonia, Timor-Leste,* Uruguay:*
draft resolution

28/... Question of the realization in all countries of economic, social and cultural rights

The Human Rights Council,

Guided by the principles of economic, social and cultural rights enshrined in international human rights instruments, including the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling that the Vienna Declaration and Programme of Action, the 2005 World Summit Outcome and General Assembly resolution 60/251 of 15 March 2006, in which the Assembly established the Human Rights Council, all affirm that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and must be treated in a fair and equal manner, on the same footing and with the same emphasis, and recalling also that the promotion and protection of one category of rights should never exempt States from the promotion and protection of the other rights,

Recalling also the United Nations Millennium Declaration, in which the Heads of State and Government affirmed their commitment to spare no effort to promote democracy and strengthen the rule of law, as well as respect for all internationally recognized human rights and fundamental freedoms, including the right to development,

* Non-member State of the Human Rights Council.

Recalling further its resolutions on the question of the realization in all countries of economic, social and cultural rights, and the resolutions adopted by the Commission on Human Rights on the same topic,

Reaffirming the obligations and commitments to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of available resources, with a view to achieving progressively the full realization of economic, social and cultural rights by all appropriate means, including particularly the adoption of legislative measures,

Underlining efforts to achieve internationally agreed development goals, mindful that the unfinished work on the Millennium Development Goals should continue in the post-2015 development agenda, and recognizing the crucial importance of giving due consideration to economic, social and cultural rights in the elaboration of this agenda,

Underlining also the human rights principles of, inter alia, non-discrimination, human dignity, equity, equality, universality and participation, as affirmed in international human rights law and in the Vienna Declaration and Programme of Action, and emphasizing that the rights enunciated in the International Covenant on Economic, Social and Cultural Rights are to be realized in a non-discriminatory manner,

Recognizing that human rights and social protection floors complement each other, and that social protection floors, when used as a baseline, have the potential to facilitate the enjoyment of economic, social and cultural rights and to reduce poverty and inequality,

1. *Calls upon* all States to give full effect to economic, social and cultural rights by, inter alia, taking all appropriate measures to implement the Human Rights Council resolutions on the question of the realization in all countries of economic, social and cultural rights, the most recent of which is resolution 25/11 of 27 March 2014;

2. *Welcomes* the two latest ratifications of the International Covenant on Economic, Social and Cultural Rights, calls upon all States that have not yet signed and ratified the Covenant to consider doing so as a matter of priority, and calls upon States parties to consider reviewing their reservations thereto;

3. *Also welcomes* the six latest ratifications of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and encourages all States that have not yet signed and ratified the Optional Protocol to consider doing so and also to consider making declarations under articles 10 and 11 thereof;

4. *Takes note with appreciation* of the report of the Secretary-General on the question of the realization in all countries of economic, social and cultural rights, with a special focus on the importance of social protection floors for the realization of economic, social and cultural rights,[1] submitted pursuant to Human Rights Council resolution 25/11, and of the conclusions contained therein;

5. *Recognizes* that social protection policies play a critical role in realizing economic, social and cultural rights for all, reducing poverty and inequality, and supporting inclusive growth;

6. *Acknowledges* that social protection floors may facilitate the enjoyment of human rights, including the rights to social security, the highest attainable standard of physical and mental health, an adequate standard of living, including adequate food, clothing and housing, education, and safe drinking water and sanitation, in accordance with the human rights obligations of States and, in this regard, underlines the importance of

[1] A/HRC/28/35.

compliance with the principles of non-discrimination, transparency, participation and accountability;

7. *Also acknowledges* that the establishment and implementation of social protection floors in accordance with State obligations to promote, protect and fulfil human rights may contribute to ensuring minimum essential levels and promoting the progressive realization of economic, social and cultural rights, gender equality and the protection of persons in a situation of vulnerability;

8. *Encourages* States to put in place social protection floors as part of comprehensive social protection systems that will contribute to the enjoyment and realization of human rights;

9. *Underlines* the importance of an effective remedy for violations of economic, social and cultural rights, and in this regard takes note with appreciation of measures taken to facilitate access to complaints procedures and the domestic adjudication of cases, as appropriate, for victims of alleged human rights violations;

10. *Welcomes* the steps taken at the national level to implement economic, social and cultural rights, including the enactment of appropriate legislation and adjudication by national courts;

11. *Reiterates* that respect for and the promotion and protection of human rights are an integral part of effective work towards achieving internationally agreed development goals, and the importance of giving due consideration to equality, social protection and accountability in the context of the realization of economic, social and cultural rights in the elaboration of the post-2015 development agenda;

12. *Notes with interest* the work carried out by the Committee on Economic, Social and Cultural Rights to assist States parties in fulfilling their obligations, including through the submission of general comments, the consideration of periodic reports and, for States parties to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the examination of individual communications;

13. *Also notes with interest* the work of other relevant treaty bodies and special procedures in the promotion and protection of economic, social and cultural rights within their respective mandates;

14. *Encourages* enhanced cooperation and, as appropriate, increased coordination between the Committee on Economic, Social and Cultural Rights and United Nations bodies, specialized agencies and programmes, mechanisms of the Human Rights Council and other human rights treaty bodies whose activities have a bearing on economic, social and cultural rights, in a manner that respects their distinctive mandates and promotes their policies, programmes and projects;

15. *Recognizes and encourages* the important contributions of regional organizations, national human rights institutions and civil society, including non-governmental organizations, academic and research institutions, business enterprises and trade unions to the question of the realization and enjoyment of economic, social and cultural rights, including training and information activities;

16. *Welcomes* the activities carried out by the Office of the United Nations High Commissioner for Human Rights on the promotion of economic, social and cultural rights, mainly through technical cooperation, the work of its field offices, its relevant reports to United Nations bodies, the development of in-house expertise, including on human rights indicators, and its publications, studies, training and information activities on related issues, including through new information technologies;

17. *Requests* the Secretary-General to continue to prepare and submit to the Human Rights Council an annual report on the question of the realization in all countries of economic, social and cultural rights under agenda item 3, with a special focus on a compilation of best practices adopted by States to measure progress in the realization of economic, social and cultural rights, including national indicators to advance the realization of such rights;

18. *Decides* to remain seized of this issue and to consider taking further action in order to implement the present resolution.